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SENATE BILL NO. 1112

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 11, 2003)

(Patron Prior to Substitute—Senator Whipple)

*A BILL to amend and reenact §§ 46.2-100, 46.2-904, 46.2-905, 46.2-906 and 46.2-1081 of the Code of Virginia, relating to bicycles.***Be it enacted by the General Assembly of Virginia:****1. That §§ 46.2-100, 46.2-904, 46.2-905, 46.2-906 and 46.2-1081 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-100. Definitions.

The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning:

*"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than ~~twenty-five~~ 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.**"Automobile or watercraft transporters" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles or watercraft on their power unit, designed and used exclusively for the transportation of motor vehicles or watercraft.**"Bicycle" means a device propelled solely by human power, ~~having pedals, upon which a person may ride either on or astride a regular seat attached thereto, having two~~ 2 or more wheels, ~~and a seat height of more than twenty-five inches from the ground when adjusted to its maximum height in tandem, including children's bicycles, except a toy vehicle intended for use by young children.~~ For purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, a bicycle shall be a vehicle while operated on the highway.**"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, and mopeds.**"Business district" means the territory contiguous to a highway where ~~seventy-five~~ 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.**"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.**"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.**"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.**"Commission" means the State Corporation Commission.**"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.**"Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.**"Decal" means a device to be attached to a license plate that validates the license plate for a predetermined registration period.**"Department" means the Department of Motor Vehicles of the Commonwealth.**"Disabled parking license plate" means a license plate that displays the international symbol of access in the same size as the numbers and letters on the plate and in a color that contrasts with the background.**"Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand; (ii) is blind; or (iii) is permanently and totally disabled as certified by the U.S. Veterans Administration. A veteran shall be considered blind if he has a permanent impairment of both eyes to the following extent: (i) central visual acuity of 20/200 or less in the better eye, with corrective lenses, or central visual acuity of more than 20/200, if there is a field defect in which the peripheral field has contracted*

60 to such an extent that the widest diameter of visual field subtends an angular distance no greater than
61 ~~twenty~~ 20 degrees in the better eye.

62 "Driver's license" means any license, including a commercial driver's license as defined in the
63 Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), issued under the laws of the
64 Commonwealth authorizing the operation of a motor vehicle.

65 "Electric personal assistive mobility device" means a self-balancing ~~two~~ 2-nontandem-wheeled device
66 that is designed to transport only ~~one~~ 1 person and powered by an electric propulsion system that limits
67 the device's maximum speed to ~~fifteen~~ 15 miles per hour or less. For purposes of Chapter 8 of this title,
68 an electric personal assistive mobility device shall be a vehicle when operated on a highway.

69 "Electric power-assisted bicycle" means a bicycle equipped with an electric motor that reduces the
70 pedal effort required of the rider, but does not eliminate the rider's need to pedal. For the purposes of
71 Chapter 8 of this title, an electric power-assisted bicycle shall be a vehicle when operated on a highway.

72 "Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of
73 which will tend to conceal the identity of a vehicle.

74 "Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural
75 implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery
76 and implements including self-propelled mowers designed and used for mowing lawns.

77 "Federal safety requirements" means applicable provisions of the National Traffic and Motor Vehicle
78 Safety Act of 1966 as amended (15 U.S.C. § 1381 et seq.) and all administrative regulations and policies
79 adopted pursuant thereto.

80 "Financial responsibility" means the ability to respond in damages for liability thereafter incurred
81 arising out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided
82 for in § 46.2-472.

83 "Foreign market vehicle" means any motor vehicle originally manufactured outside the United States,
84 which was not manufactured in accordance with the National Traffic and Motor Vehicle Safety Act as
85 amended (15 U.S.C. § 1381 et seq.) and the policies and regulations adopted pursuant to that Act, and
86 for which a Virginia title or registration is sought.

87 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the
88 Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer
89 and that has not been registered in the Commonwealth.

90 "Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their
91 equipment on a golf course.

92 "Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load
93 thereon.

94 "Highway" means the entire width between the boundary lines of every way or place open to the use
95 of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys,
96 and, for law-enforcement purposes, the entire width between the boundary lines of all private roads or
97 private streets that have been specifically designated "highways" by an ordinance adopted by the
98 governing body of the county, city, or town in which such private roads or streets are located.

99 "Intersection" means (i) the area embraced within the prolongation or connection of the lateral
100 curblines or, if none, then the lateral boundary lines of the roadways of ~~two~~ 2 highways that join ~~one~~ 1
101 another at, or approximately at, right angles, or the area within which vehicles traveling on different
102 highways joining at any other angle may come in conflict; (ii) where a highway includes ~~two~~ 2
103 roadways ~~thirty~~ 30 feet or more apart, then every crossing of each roadway of such divided highway by
104 an intersecting highway shall be regarded as a separate intersection, in the event such intersecting
105 highway also includes ~~two~~ 2 roadways ~~thirty~~ 30 feet or more apart, then every crossing of ~~two~~ 2
106 roadways of such highways shall be regarded as a separate intersection; or (iii) for purposes only of
107 authorizing installation of traffic-control devices, every crossing of a highway or street at grade by a
108 pedestrian crosswalk.

109 "Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make
110 arrests for violations of this title or local ordinances authorized by law. For the purposes of access to
111 law-enforcement databases regarding motor vehicle registration and ownership only, this term shall also
112 include city and county commissioners of the revenue and treasurers, together with their duly designated
113 deputies and employees, when such officials are actually engaged in the enforcement of §§ 46.2-752,
114 46.2-753 and 46.2-754 and local ordinances enacted thereunder.

115 "License plate" means a device containing letters, numerals, or a combination of both, attached to a
116 motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the
117 Department.

118 "Light" means a device for producing illumination or the illumination produced by the device.

119 "Low-speed vehicle" means any ~~four~~ 4-wheeled electrically-powered vehicle, except a motor vehicle
120 or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart,
121 whose maximum speed is greater than ~~twenty~~ 20 miles per hour but not greater than ~~twenty-five~~ 25

122 miles per hour and is manufactured to comply with safety standards contained in Title 49 of the Code of
123 Federal Regulations, § 571.500.

124 "Manufactured home" means a structure subject to federal regulation, transportable in ~~one~~ 1 or more
125 sections, which in the traveling mode is ~~eight~~ 8 body feet or more in width or ~~forty~~ 40 body feet or
126 more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent
127 chassis and designed to be used as a dwelling with or without a permanent foundation when connected
128 to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems
129 contained therein.

130 "Moped" means a conveyance that is either (i) a bicycle-like device with pedals and a helper motor
131 that is rated at no more than ~~two~~ 2 brake horsepower and that produces speeds up to a maximum of
132 ~~thirty~~ 30 miles per hour or (ii) a motorcycle with an engine displacement of 50 cubic centimeters or less
133 and a maximum speed of less than ~~thirty~~ 30 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et
134 seq.) of this title, a moped shall be a vehicle while operated on a highway.

135 "Motor home" means every private motor vehicle with a normal seating capacity of not more than
136 ~~ten~~ 10 persons, including the driver, designed primarily for use as living quarters for human beings.

137 "Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for
138 self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained
139 primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place,
140 office, or commercial space shall be considered a part of a motor vehicle. For the purposes of this title,
141 any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted
142 bicycle, or moped shall be deemed not to be a motor vehicle.

143 "Motorcycle" means every motor vehicle designed to travel on not more than ~~three~~ 3 wheels in
144 contact with the ground, except any vehicle included within the term "farm tractor" or "moped" as
145 defined in this section.

146 "Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any
147 foreign corporation that is authorized to do business in the Commonwealth by the State Corporation
148 Commission shall be a resident of the Commonwealth for the purpose of this title; in the case of
149 corporations incorporated in the Commonwealth but doing business outside the Commonwealth, only
150 such principal place of business or branches located within the Commonwealth shall be dealt with as
151 residents of the Commonwealth; (ii) a person who becomes engaged in a gainful occupation in the
152 Commonwealth for a period exceeding ~~sixty~~ 60 days shall be a resident for the purposes of this title
153 except for the purposes of Chapter 3 (§ 46.2-300 et seq.) of this title; (iii) a person, other than a
154 nonresident student as defined in this section, who has actually resided in the Commonwealth for a
155 period of ~~six~~ 6 months, whether employed or not, or who has registered a motor vehicle, listing an
156 address in the Commonwealth in the application for registration shall be deemed a resident for the
157 purposes of this title, except for the purposes of the Virginia Commercial Driver's License Act
158 (§ 46.2-341.1 et seq.).

159 "Nonresident student" means every nonresident person who is enrolled as a full-time student in an
160 accredited institution of learning in the Commonwealth and who is not gainfully employed.

161 "Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for
162 compensation," and "business of transporting persons or property" mean any owner or operator of any
163 motor vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or
164 receives compensation for the service, directly or indirectly; but these terms do not mean a "truck
165 lessor" as defined in this section and do not include persons or businesses that receive compensation for
166 delivering a product that they themselves sell or produce, where a separate charge is made for delivery
167 of the product or the cost of delivery is included in the sale price of the product, but where the person
168 or business does not derive all or a substantial portion of its income from the transportation of persons
169 or property except as part of a sales transaction.

170 "Operator" or "driver" means every person who either (i) drives or is in actual physical control of a
171 motor vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a
172 motor vehicle.

173 "Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of
174 an agreement for its conditional sale or lease with the right of purchase on performance of the
175 conditions stated in the agreement and with an immediate right of possession vested in the conditional
176 vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or
177 lessee or mortgagor shall be the owner for the purpose of this title. In all such instances when the rent
178 paid by the lessee includes charges for services of any nature or when the lease does not provide that
179 title shall pass to the lessee on payment of the rent stipulated, the lessor shall be regarded as the owner
180 of the vehicle, and the vehicle shall be subject to such requirements of this title as are applicable to
181 vehicles operated for compensation. A "truck lessor" as defined in this section shall be regarded as the
182 owner, and his vehicles shall be subject to such requirements of this title as are applicable to vehicles of

183 private carriers.

184 "Passenger car" means every motor vehicle other than a motorcycle designed and used primarily for
185 the transportation of no more than ~~ten~~ 10 persons including the driver.

186 "Payment device" means any credit card as defined in 15 U.S.C. § 1602(k) or any "accepted card or
187 other means of access" set forth in 15 U.S.C. § 1693a(1). For the purposes of this title, this definition
188 shall also include a card that enables a person to pay for transactions through the use of value stored on
189 the card itself.

190 "Pickup or panel truck" means every motor vehicle designed for the transportation of property and
191 having a registered gross weight of 7,500 pounds or less.

192 "Private road or driveway" means every way in private ownership and used for vehicular travel by
193 the owner and those having express or implied permission from the owner, but not by other persons.

194 "Reconstructed vehicle" means every vehicle of a type required to be registered under this title
195 materially altered from its original construction by the removal, addition, or substitution of new or used
196 essential parts.

197 "Residence district" means the territory contiguous to a highway, not comprising a business district,
198 where ~~seventy-five~~ 75 percent or more of the property abutting such highway, on either side of the
199 highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling
200 purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes.

201 "Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or
202 restoration except through reapplication after the expiration of the period of revocation.

203 "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular
204 travel, exclusive of the shoulder. A highway may include ~~two~~ 2 or more roadways if divided by a
205 physical barrier or barriers or an unpaved area.

206 "Safety zone" means the area officially set apart within a roadway for the exclusive use of
207 pedestrians and that is protected or is so marked or indicated by plainly visible signs.

208 "School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial
209 bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private
210 or parochial schools, or used for the transportation of the mentally or physically handicapped to and
211 from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a
212 specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A
213 yellow school bus may have a white roof provided such vehicle is painted in accordance with
214 regulations promulgated by the Department of Education.

215 "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a
216 motor vehicle that some part of its own weight and that of its own load rests on or is carried by another
217 vehicle.

218 *"Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by*
219 *an open space or barrier and is located either within the highway right-of-way or within a separate*
220 *right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chairs or wheel*
221 *chair conveyances, joggers, and other nonmotorized users.*

222 "Shoulder" means that part of a highway between the portion regularly travelled by vehicular traffic
223 and the lateral curbline or ditch.

224 *"Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway,*
225 *and the adjacent property lines, intended for use by pedestrians.*

226 "Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or
227 runners, and supported in whole or in part by ~~one~~ 1 or more skis, belts, or cleats.

228 "Specially constructed vehicle" means any vehicle that was not originally constructed under a
229 distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not a
230 reconstructed vehicle as herein defined.

231 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter
232 configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and
233 below the rearmost axle of the power unit.

234 "Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

235 "Suspend" or "suspension" means that the document or privilege suspended has been temporarily
236 withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the
237 end of the period of suspension.

238 "Towing and recovery operator" means a person engaged in the business of (i) removing disabled
239 vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii)
240 restoring to the highway or other location where they either can be operated or removed to other
241 locations for repair or safekeeping vehicles that have come to rest in places where they cannot be
242 operated.

243 "Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles
244 and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached

thereto.

"Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a felony nor a misdemeanor.

"Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

"Truck" means every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds.

"Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is the subject of a bona fide written lease for a term of ~~one~~ 1 year or more to another person, provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds shall be vehicles while operated on a highway.

"Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used to provide mobility for persons who, by reason of physical disability, are otherwise unable to move about as pedestrians. The term includes both ~~three~~ 3-wheeled and ~~four~~ 4-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-propelled wheel chair or self-propelled wheel chair conveyance shall not be considered a motor vehicle.

§ 46.2-904. Use of roller skates and skateboards on sidewalks; operation of bicycles, electric power-assisted bicycles, and electric personal assistive mobility devices on sidewalks and crosswalks; local ordinances.

The governing body of any county, city, or town may by ordinance prohibit the use of roller skates and skateboards and/or the riding of bicycles, electric personal assistive mobility devices, or electric power-assisted bicycles on designated sidewalks or crosswalks, including those of any church, school, recreational facility, or any business property open to the public where such activity is prohibited. Signs indicating such prohibition shall be conspicuously posted in general areas where use of roller skates and skateboards, and/or bicycle, electric personal assistive mobility devices or electric power-assisted bicycle riding is prohibited.

A person riding a bicycle, electric personal assistive mobility device, or an electric power-assisted bicycle on a sidewalk, *shared-use path*, or across a roadway on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

No person shall ride a bicycle, electric personal assistive mobility device, or an electric power-assisted bicycle on a sidewalk, or across a roadway on a crosswalk, where such use of bicycles, electric personal assistive mobility devices, or electric power-assisted bicycles is prohibited by official traffic control devices.

A person riding a bicycle, electric personal assistive mobility device, or an electric power-assisted bicycle on a sidewalk, *shared-use path*, or across a roadway on a crosswalk, shall have all the rights and duties of a pedestrian under the same circumstances.

A violation of any ordinance adopted pursuant to this section shall be punishable by a civil penalty of not more than \$50.

§ 46.2-905. Riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds on roadways and bicycle paths.

Any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on a roadway *at less than the normal speed of traffic at the time and place under conditions then existing* shall ride as close as *safely* practicable to the right curb or edge of the roadway, except under any of the following circumstances:

1. When overtaking and passing another vehicle proceeding in the same direction;
2. When preparing for a left turn at an intersection or into a private road or driveway; ~~and~~
3. When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right curb or edge;
4. When avoiding riding in a lane that must turn or diverge to the right; and

306 5. When riding upon a one-way road or highway, a person may also ride as near the left-hand curb
307 or edge of such roadway as safely practicable.

308 For purposes of this section, a "substandard width lane" is a lane too narrow for a bicycle, electric
309 personal assistive mobility device, electric power-assisted bicycle, or moped and another vehicle to pass
310 safely side by side within the lane.

311 Persons riding bicycles, electric personal assistive mobility devices, or electric power-assisted
312 bicycles on a highway shall not ride ~~two~~ 2 or more abreast except on paths or parts of highways set
313 aside for the exclusive use of bicycles, electric personal assistive mobility devices, and electric
314 power-assisted bicycles.

315 The governing body of any locality may by ordinance provide that wherever a usable path for
316 bicycles, electric personal assistive mobility devices, and electric power-assisted bicycles has been
317 provided adjacent to a roadway, bicycle riders, electric personal assistive mobility device riders, and
318 electric power-assisted bicycle riders shall use such path and shall not use the roadway.

319 Notwithstanding any other provision of law to the contrary, the Department of Conservation and
320 Recreation shall permit the operation of electric personal assistive mobility devices on any bicycle path
321 or trail designated by the Department for such use.

322 § 46.2-906. Carrying articles or passengers on bicycles, electric personal assistive mobility devices,
323 electric power-assisted bicycles, and mopeds.

324 No person operating a bicycle, electric personal assistive mobility device, electric power-assisted
325 bicycle, or moped on a highway shall carry any package, bundle, or article that prevents the driver from
326 keeping at least ~~one~~ 1 hand on the handlebars.

327 *No bicycle shall be used to carry more persons at one time than the number of persons for which it*
328 *was designed or is equipped, except that an adult rider may carry a child less than 6 years old if such*
329 *child is securely attached to the bicycle in a seat or trailer designed for carrying children.*

330 § 46.2-1081. Slow-moving vehicle emblems.

331 A. Every farm tractor, self-propelled unit of farm equipment or implement of husbandry, and any
332 other vehicle designed for operation at speeds not in excess of ~~twenty-five~~ 25 miles per hour or
333 normally operated at speeds not in excess of ~~twenty-five~~ 25 miles per hour, shall display a triangular
334 slow-moving vehicle emblem on the rear of the vehicle when traveling on a public highway at any time
335 of the day or night.

336 B. Should a slow-moving vehicle tow a unit on a public highway, then the towing vehicle or the
337 towed unit shall be equipped with the slow-moving vehicle emblem as follows:

338 1. If the towed unit or any load thereon obscures the slow-moving vehicle emblem on the towing
339 vehicle, the towed unit shall be equipped with a slow-moving vehicle emblem, in which case the towing
340 vehicle need not display such emblem.

341 2. If the slow-moving vehicle emblem on the towing vehicle is not obscured by the towed unit or
342 any load thereon, then either or both such vehicles may be equipped with such emblem.

343 C. The standards and specifications for the slow-moving vehicle emblem and the position of
344 mounting of the emblem shall conform to standards and specifications adopted by the American Society
345 of Agricultural Engineers, the Society of Automotive Engineers, the American National Standards
346 Institute, Inc., or the federal Department of Transportation.

347 D. The use of the slow-moving vehicle emblem shall be restricted to the uses specified in this title.

348 E. *The provisions of this section shall not apply to bicycles, electric power-assisted bicycles, or*
349 *mopeds. Display of a slow-moving vehicle emblem on a bicycle, electric power-assisted bicycle, or*
350 *moped shall not be deemed a violation of this section.*